

# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 2  
PART II—Section 2  
प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed  
as a separate compilation

## RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 1st March, 1974:—

### I

#### Bill No. III of 1974

*A Bill further to amend the Prevention of Food Adulteration Act, 1954.*

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prevention of Food Adulteration (Amendment) Act, 1974.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. After section 16 of the Prevention of Food Adulteration Act, 1954, the following new section shall be inserted, namely:—

20 of 1958.  
5 of 1898.

“16A. The provisions of the Probation of Offenders Act, 1958 or of section 562 of the Code of Criminal Procedure 1898 shall not apply in respect of penalties provided under section 16 of this Act.”

Short title and commencement.  
Insertion of new section 16A.  
Probation of Offenders Act and section 562 of the Code of Criminal Procedure not to apply to offences under section 16.

## STATEMENT OF OBJECTS AND REASONS

Food Adulteration has assumed great proportion causing a serious danger to national health. Pure Ghee is being adulterated with mutton tallow, coal-tar dyes are used in giving colour to eatables and aluminium foils are applied on sweets meant for human consumption. Such grave offences of adulteration require serious consideration and deserve awarding of exemplary punishment by the Courts. It has been noticed that adulteration cases are sometimes leniently dealt with and the offenders are let off with nominal sentences of fine and sometimes even sentences of fine are not imposed and the offenders are let off on probation of good conduct. This lenient attitude of the Courts towards food adulterators does not fit in with the seriousness of the offence and the necessity of awarding exemplary punishment in such cases. It is with this aim in view that the proposed amendment is necessary so that the adulterators are not let off by taking lenient view in the matter by the Courts.

Hence the Bill.

OMPRAKASH TYAGI.

## II

**Bill No. II of 1974**

*A Bill further to amend Code of Civil Procedure 1908.*

BE it enacted by Parliament in the Twenty-Fifth Year of the Republic of India as follows:—

1. This Act may be called the Code of Civil Procedure (Amendment) Act, 1974.

**Short  
Title.**

5 of 1908.

2. Section 80 of the Code of Civil Procedure 1908 shall be omitted.

**Omission  
of  
section  
80.**

## STATEMENT OF OBJECTS AND REASONS

Section 80 of the Code of Civil Procedure 1908 requires that two months' notice must be given before a suit against the Government or against a public officer in respect of an act purporting to be done by him in his official capacity can be filed. The object of the section appears to be to give to the Government or public officer an opportunity to reconsider the legal position and other aspects of the claim made and to make amend or settle the claim if so advised without recourse to, the trouble and cost of, litigation or to give him sufficient time if he wishes to contest the case, to make out his defence. Experience of last more than fifty years shows that the Governments do not even bother to reply to such notice. On the other hand it means unnecessary delay and hardship to the citizen. There is therefore no justification for retaining such a section which has failed to achieve its object.

Hence this Bill.

VITHAL GADGIL.

**III****Bill No. 1 of 1974**

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1974.

Short  
title and  
com-  
mence-  
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In article 39 of the Constitution, after clause (f), the following clause shall be inserted, namely:—

Amend-  
ment of  
article 39.

“(g) that childhood and youth are provided with compulsory moral teaching in every educational institution maintained by the State or receiving aid out of State funds.”

## STATEMENT OF OBJECTS AND REASONS

The children and the youth of today are the future hope of the country. The growing indiscipline in the youth of the country is not a happy sign. They require proper moral instructions which would go a long way in building their character. The educational policy of the country should thus be directed towards this goal. This can only be attained by making provision for imparting compulsory moral teaching in all the educational institutions maintained by the State or given aid out of the State funds. This view is also supported by the report of the Education Commission (1964—66).

Hence the Bill.

OMPRAKASH TYAGI.

B. N. BANERJEE,  
*Secretary-General.*